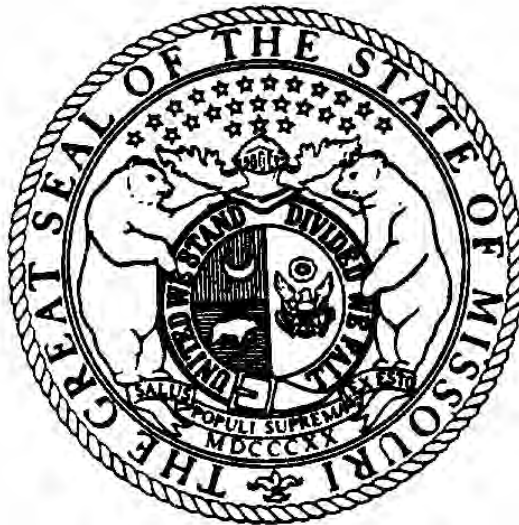


**REPORT
OF
THE JOINT INTERIM COMMITTEE
ON
JUDICIAL RESOURCES IN MISSOURI**



January, 2004

REPORT OF THE JOINT INTERIM
COMMITTEE ON JUDICIAL RESOURCES
IN MISSOURI

January, 2004

Prepared by

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January __, 2004

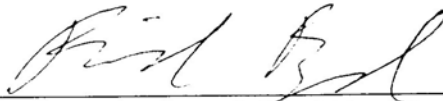
The Honorable Peter Kinder, President Pro Tem
The Honorable Catherine Hanaway, Speaker
State Capitol
Jefferson City, MO 65101

Dear Mr. President and Ms. Speaker:

The Joint Interim Committee on Judicial Resources in Missouri, acting pursuant to Senate Substitute for Senate Concurrent Resolution 7, has met, taken testimony, deliberated, and concluded its study on issues confronting the efficient and effective use of judicial resources in the circuit courts of this state. The undersigned members of the Committee are pleased to submit the attached report.



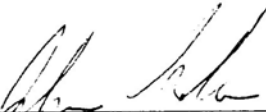
Senator Matt Bartle, Chair



Representative Richard Byrd

Senator Ken Jacob

Representative Jack Goodman



Senator John Loudon



Representative Michael Vogt



The Honorable Duane Benton

The Honorable Steve Ehlmann

The Honorable Gary Witt

January 12, 2004

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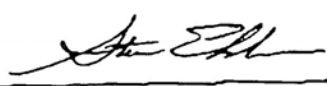
Senator Ken Jacob

Representative Jack Goodman

Senator John Loudon

Representative Michael Vogt

The Honorable Duane Benton



The Honorable Steve Ehlmann

1-16-04

The Honorable Gary Witt

January __, 2004

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Joint Interim Committee on Judicial Resources in Missouri

I. OVERVIEW

As a result of the current budget challenges facing the state of Missouri and the General Assembly's responsibility to oversee funding of an efficient and effective judicial system, including the forty-five judicial circuits, the General Assembly in 2003 adopted the Senate Substitute for Senate Concurrent Resolution 7, sponsored by Senator Chuck Gross, calling for the establishment of the Joint Interim Committee on Judicial Resources in the State of Missouri. The Joint Committee was primarily charged with conducting a comprehensive analysis of the activities of the state's forty-five judicial circuits and evaluating ways to improve the efficiency and effectiveness of the judicial circuits. The Committee studied the current allocation of judicial resources throughout the state. The membership of the Committee is unique in that it includes representatives of the state's judicial system (both at the trial and appellate court levels) as well as members of the House of Representatives and the Senate. President Pro Tem Peter Kinder appointed the following Senate members to the Committee: Senator Matt Bartle, Chair, Senator Ken Jacob and Senator John Loudon. Speaker of the House Catherine Hanaway appointed the following House members to the Committee: Representative Richard Byrd, Representative Michael Vogt and Representative Jack Goodman. Chief Justice Stephen N. Limbaugh, Jr. appointed the following members of the judiciary to the Committee: Judge Duane Benton of the Missouri Supreme Court, Circuit Judge Steve Ehlmann of the 11th Judicial Circuit, and Associate Circuit Judge Gary Witt of the 6th Judicial Circuit.

The Committee held a number of public hearings and solicited testimony regarding a wide range of issues related to the operation of the state's judicial circuits. Hearings were held in the following locations:

September 9, 2003	Jefferson City, MO
October 3, 2003	Columbia, MO
October 13, 2003	Jefferson City, MO
November 12, 2003	Jefferson City, MO.

Based on the testimony and handouts provided by members of the judiciary, attorneys in the private practice of law, the Office of State Courts Administrator, prosecuting attorneys, law professors and other interested persons, the Committee developed and adopted a list of recommendations intended to improve the efficiency and effectiveness of the judicial circuits in this state. What follows is a summary of the testimony received by the Committee in section II of this report and the recommendations that have been adopted by the Committee, as well as a list of those recommendations which were offered, but rejected by the Committee in section III of this report.

II. SUMMARY OF INFORMATION AND TESTIMONY RECEIVED

In the course of four public hearings, the Committee gathered a tremendous amount of information about the current operation of the circuit courts. As could be expected, the Committee heard from a number of judges who expressed their views about potential ways that the circuit courts could be operated more efficiently. The Committee was proactive in seeking out witnesses that could assist the members in determining ways to improve the efficient operation of the circuits, especially in light of the current budget difficulties. The Committee relied heavily on the Office of State Courts Administrator to provide statistics about caseload and other aspects of the work of the circuit courts. Michael Buenger, State Court Administrator, and his staff, including Nancy Griggs, Director of Court Services, deserve a special note of appreciation for their efforts to provide the Committee with requested information in a timely manner.

September 9, 2003: Organizational Meeting in Jefferson City, Missouri

The Committee began its work by examining the booklets of data presented by the Office of State Courts Administrator (OSCA) during the testimony of Michael Buenger and Nancy Griggs. All Committee members were present for the meeting. Mr. Buenger spoke to the Committee about three areas: (1) the national perspective in terms of how Missouri compares to other states, (2) a comparison of information for each of the judicial circuits in this state, and (3) an overview of the judicial budget. In terms of the national perspective, Missouri is one of ten states with a unified court system, which is a system with a single level of courts with multiple divisions. Missouri adopted a unified court system with the adoption of a constitutional amendment in 1976. In terms of the number of judges per one hundred thousand citizens of this state, Missouri is below the average for states with unified court systems. In 2001, Missouri had 5.6 judges per one hundred thousand people, while Kansas had 5.9, Illinois had 6.7 and Iowa had 6.6. The Committee expressed interest in a comparison of the average caseload for circuit judges in the ten states with a unified court system. Mr. Buenger provided the Committee with data from 2001 that compared the case filings per judge across the fifty states. A copy of the comparison is attached in the appendix to this report (A-2).

The Committee focused the majority of its time on the data concerning the Missouri perspective and comparing the state's forty-five judicial circuits. The Committee was particularly concerned with measurements of a circuit's caseload or workload. OSCA counts caseload based on petitions filed with the court. Weighting of the filings is not done, due to the lack of a weighting study or a time study and the difficulty of weighting complex cases. The Committee asked for further information regarding the potential to use a weighted workload study in Missouri and to examine the experience of other states that use a weighted workload study to determine the allocation of judicial resources. OSCA presented data on each of the forty-five circuits that shows the trends in case filings for a multitude of different types of cases over the past decade. Statewide data indicates an increase in case filings in all areas, except for traffic cases. The drop in traffic cases was attributed, in part, to less law enforcement resources directed to traffic enforcement after September 11, 2001. The statewide caseload and judicial and staff resources summary is attached in the appendix (A-3). In SS/SCR 7, the Resolution calls for an examination of the caseload of each judge in the circuit. Mr. Buenger said that such

a breakdown of statistics was not feasible in that many cases involve multiple judges. This makes tracking of caseload per judge very difficult.

The Committee received information from OSCA that indicates the increase over time in the number of adult abuse ex parte orders being issued by circuit courts. Historically, ex parte orders have been used by persons to restrain abusive spouses, family members or significant others. In recent times, however, the scope has expanded to include neighbors, friends and landlord-tenant matters. Witnesses suggested that ex parte orders were being used in ways that the legislature never intended. It has increasingly become a tool of litigation in dissolution matters. The expansion of the ex parte process and the abuse of the ex parte process make it more difficult for the courts to promptly and adequately serve those persons who need this protection, and may further endanger those that the legislature was trying to protect in enacting this statute. Judges are reluctant to deny ex parte orders, but rather would wait to have a hearing on the merits of the order before denying an order. Committee members expressed their desire to tighten the requirements for obtaining an ex parte order, but were cautioned by Mr. Buenger that federal money could be jeopardized if the tightening resulted in non-compliance with federal law.

The Committee also examined data regarding the allocation of judicial resources for court reporters. By state statute, each circuit judge gets a court reporter. The Committee expressed concern that in some circuits, a full-time court reporter is not necessary because there is not enough work to keep the reporter busy all day each week. One member of the Committee suggested by the Committee that a move to videotape proceedings might be a more efficient use of judicial resources. Mr. Buenger commented that this would require an expensive outlay of resources up front and would result in more transcribing by OSCA in cases that were appealed. It was noted that in other states with video courtrooms, exceptions have been made for capital cases. Other options included making the court reporter an employee of the circuit, rather than the judge, which would allow greater flexibility in utilizing the full capacity of the court reporter.

As the Committee reviewed the data, it was apparent that certain areas of the state, particularly in the southwest, were experiencing greater growth than other areas. These demographic changes have heavily impacted judges' caseloads. The Committee heard testimony about and discussed whether the judicial resources of this state could be better utilized by modifying the existing circuit boundaries.

Finally, Mr. Buenger presented the Committee with an overview of the budget issues facing the circuit courts. In 1984, 1.81% of general revenue was spent on circuit courts. In fiscal year 2004, 1.67% of general revenue was spent on circuits. In real dollars, less is spent on the circuit courts today than in 1984 even after taking on juvenile officers in their budget in 2003. Missouri courts generate over \$370 million in fines, fees and other income to the State each year, almost double the total cost of the courts' operation. A copy of the history of judiciary funding is attached in the appendix (A-4).

October 3, 2003: Public Hearing in Columbia, Missouri During Missouri Bar/Judicial Conference Meeting

In order to facilitate input from the judiciary, the Committee held its next meeting at the Missouri Bar/Judicial Conference meeting. During the public hearing, the Committee took testimony from a number of judges and lawyers. All Committee members were in attendance for the meeting.

1. The Honorable Karl DeMarce, Associate Circuit Judge in the 1st Judicial Circuit. Judge DeMarce testified to the Committee that he felt the "at least one judge per county" standard ought to be maintained in the interest of providing reasonable and timely access to justice. He felt that the availability of a circuit judge and an associate judge is important for interactions with law enforcement necessary to maintain public safety. Petitions, such as 96 hour holds, can come at all times and it is important for such determinations to be made quickly, especially in light of the elimination of mental health coordinators. To eliminate judges in rural areas would make compliance with time standards imposed by statute or rule very difficult and implementation of specialty courts, such as drug courts, would be impossible without a sufficient number of judges. Judge DeMarce felt that the existing judge transfer program, wherein judges are transferred from less busy areas to busier areas, effectively adjusted caseloads. In terms of court costs, he advocated the repeal of certain "boutique" fees not related to the administration of justice, and that such moneys from "boutique" fees should be reallocated to supplement the budget of the courts. If the judicial budget reaches a triage situation, then critical court personnel, such as judges and circuit clerks, should be given priority over other court personnel, such as court reporters.

2. The Honorable William Syler, Circuit Judge in the 32nd Judicial Circuit. Judge Seiler objected to any elimination of court reporters because court reporters are used in matters besides jury trials, such as the taking of a felony guilty plea. He also felt that recorded or videotaped proceedings were inadequate.

3. The Honorable William Roberts, Circuit Judge in the 27th Judicial Circuit. Judge Roberts testified that he believed the "one court reporter per circuit judge" standard was antiquated because court reporters should be tied to the type of case. This would lead to greater flexibility in using court reporters. He also suggested the possibility of outsourcing for court reporters. Further, Judge Roberts advocated the preservation and expansion of the Fine Collection Center. He also was open to the idea of consolidating associate and circuit divisions, as well as consolidating circuits, if it made geographic sense. He also advocated for appointed circuit clerks, rather than elected circuit clerks. Finally, he raised the issue of state-paid circuit court employees collecting and personally keeping fees for passport applications and renewals. It was his opinion that such practice should not be allowed and that a fee should be imposed and collected by the state for such services.

4. The Honorable Michael David, Circuit Judge in the 22nd Judicial Circuit. Judge David testified that the 22nd Judicial Circuit, which includes the City of St. Louis, is trying not to use the judge transfer program as much and shift resources from within. Local attorneys have

expressed their discomfort with appearing before unfamiliar judges. He suggested that the judge transfer program match up judges with certain circuits, so there would be some familiarity with the judges. He also pointed out to the Committee that even though the population of St. Louis City continues to decrease, the case filings increase because of the businesses located in the city. Finally, he testified that he would not be adverse to consolidating the 21st (St. Louis County) and 22nd Judicial Circuits.

5. The Honorable James Franklin, Circuit Judge in the 26th Judicial Circuit. Judge Franklin testified that the judge transfer program was used extensively in the 26th circuit and that it was very effective, especially when overseen by a court administrator. He also offered his opinion that the senior judge program is the best money the state spends.

6. Francis Duda, Esq. Mr. Duda testified that he is the legal representative for the St. Louis City Circuit Clerk. It is the Circuit Clerk's position that if the office of St. Louis City Circuit Clerk was to be changed from an elected position to an appointed one, that decision should be made by the voters of the City of St. Louis.

7. John Briscoe, Esq. Mr. Briscoe testified in support of the work being done by the Committee.

8. The Honorable Roger Prokes, Circuit Judge in the 4th Judicial Circuit. Judge Prokas testified that court reporters should be placed higher on the list of priorities than others seemed to indicate. He also advocated the minimum amount of required service in the judge transfer program be increased.

October 13, 2003: Public Hearing in Jefferson City, Missouri to Hear Testimony from Requested Witnesses

As a result of the September 9th meeting, the Committee requested that witnesses appear regarding the drug courts, alternative dispute resolution and the use of judicial resources in prosecuting minor criminal offenses. In addition, the Committee received further requested data from OSCA. Members in attendance at the meeting included Senator Bartle, Senator Jacob, Representative Byrd, Representative Vogt, Representative Goodman, Judge Benton and Judge Ehlmann.

1. The Honorable William R. Price, Missouri Supreme Court. As a member of the Drug Court Coordinating Commission, Judge Price appeared to provide information about the drug courts to the Committee. Judge Price presented an overview of the formation and purpose of drug courts, their funding, statistics on cost savings and decreased recidivism. A participant in a drug court typically costs the state about three to five thousand dollars per year, whereas the nationwide estimate for the cost of incarceration a person costs \$20,000 to \$50,000 per year. Beyond the direct cost savings, Judge Price pointed out that the greater benefit is decreased recidivism. For persons who complete the drug court program, there is a 10% chance of recidivism over three years, where for incarcerated persons, there is a 45% chance of recidivism over three years. The cost savings also don't include the savings to the foster care system by not removing the child from the parent.

Currently, thirty-five circuits have drug courts. As Judge Price pointed out, all circuits with a drug court have them because they wanted one. There has been no systemic effort to implement drug courts in a circuit that does not want one. Because of the grassroots nature of the implementation of a drug court, the General Assembly felt that some coordination was needed. Thus, in 2001, the General Assembly created the "Drug Court Coordinating Commission" to begin the development of some best practices to be used by the drug courts. The criteria for getting into the drug court remains local, however, the Department of Mental Health is required to approve each treatment program.

In terms of future challenges for drug courts, the main one is finding continued sources of funding. Many drug courts in this state are funded by federal grants which only last three years. One option may be to create drug court commissioners that move around the state in order to ensure their efficient use. A member of the Committee suggested that a dollar amount equal to the savings generated by the drug courts could be moved from the budget of the Department of Corrections to the budget of the drug courts.

2. Art Hinshaw, Center for Dispute Resolution at UMC Law School. Mr. Hinshaw testified to the Committee on the extent of mandatory mediation in Missouri, the ultimate purpose or goal of alternative dispute resolution (ADR), the experiences of other states and the federal courts with regard to ADR, and the non-monetary benefits of ADR. Mr. Hinshaw testified that timing is the key issue in ADR. Current Supreme Court Rules, such as Rule 17, authorize a court to order a case into mediation, but nothing requires mandatory mediation. He cited also to the success of mediation in St. Louis City where cases that remain on file after twelve months are ordered to mediation. One member of the Committee suggested that the St. Louis system is not as effective as the federal system where mediation is better utilized. Mr. Hinshaw stated that the efficiencies of ADR are hard to quantify in terms of dollars. Rather, ADR improves administrative efficiency. Mr. Hinshaw also cited the example of Florida, where mediation is mandatory in all cases. This requires an outlay of money to train mediators.

Mr. Hinshaw recommended that the state implement mandatory mediation in a manner similar to the U.S. District Court for the Western District of Missouri. He also stressed that in order to be effective, there is only anecdotal evidence as to the appropriate time to order mediation. He suggested that it be made a part of the court's scheduling order.

3. Mike Wright, Prosecuting Attorney for Warren County and Bob Wilkins, Prosecuting Attorney for Jefferson County. In response to concerns of the Committee regarding the judicial resources used to prosecute minor criminal offenses, Mr. Wright and Mr. Wilkins appeared before the Committee. Mr. Wilkins testified that the state is inundated with prosecutions of methamphetamine dealers, which is taking up a lot of judicial resources. He also advised that the amount of marijuana needed to qualify as a felony needed to be revisited in order to reduce court time in prosecuting such felonies. With regard to the crimes of "driving while revoked" and "driving while suspended", Mr. Wilkins suggested that the General Assembly grant the defendant unlimited work hardship exceptions to allow them to work. With regard to other minor crimes, Mr. Wilkins testified that crimes such as public nuisance and trespass are of great importance to the citizenry, so they have to be prosecuted. A member of the Committee suggested that better coordination is needed between the prosecuting attorney and the police to

keep minor cases out of state court and in municipal court. Mr. Wright noted that rural areas lack municipal courts. Many times an associate circuit judge hears municipal cases so there would be no improved efficiency of resources. A member of the Committee commented that more county-wide municipal court systems be created in order to take the burden off the circuit courts.

4. Nancy Griggs, OSCA. Ms. Griggs was present to answer any questions regarding the requested information. The Committee first questioned the clerical weighted workload study that is used to determine the allocation of circuit clerk resources in its appropriation request. In the study, a different formula is used for the urban areas of St. Louis City, St. Louis County and Jackson County. The Committee expressed its desire that OSCA use a weighted workload study that does not differentiate between rural and urban areas.

The Committee then reviewed a number of lists which ranked the circuits in terms of population per judge (Appendix, A-5), average filings per judge in general (A-6), average filings per judge in a number of specific areas, including complex civil cases (A-7), other civil filings (A-8), domestic relations (A-9), small claims (A-10), felony (A-11), preliminary (A-12), misdemeanor (A-13), probate (A-14), and juvenile cases (A-15). A copy of the comparison of rankings for all case types is included in the appendix (A-16). The rankings indicated that certain circuits ranked at the bottom or near the bottom in a number of categories. In light of the disparity in cases by circuit, a member of the Committee suggested that the idea of creating a smaller number of mega-circuits be explored. Alternatively, it was also suggested that the current boundaries of existing circuits be redrawn. The Committee further reviewed charts indicating the number of jury trials by circuit (A-17) and jury trial days by circuit (A-18). These figures indicated that certain circuits spent very few days on jury trials.

The Committee requested a breakdown of how Missouri spends its \$160 million budget for the circuit courts. OSCA supplied information on the circuit court FY 2004 general revenue budget (A-19) as well as information on the cost per case based on the salary and benefit for judges, commissioners and other court personnel (A-20).

November 12, 2003: Public Hearing in Jefferson City, Missouri and Committee Meeting to Formulate its Recommendations.

Before commencing work on its recommendations, as discussed in section III of this report, the Committee received further testimony. Representative Roy Holland testified regarding his proposal to amend the constitution to eliminate the requirement for an associate circuit judge in every county, to convert associate circuit judges into circuit judges and to establish a judicial assignment commission. The commission would meet every two years and recommend changes in the number and location of judges. Changes would be approved unless rejected by the General Assembly. The Committee discussed how many counties should comprise one circuit, the membership of the commission, and whether these ideas could be implemented without changing the constitution. Senator Chuck Gross then briefly testified to thank the Committee for their work and to express concern about any federal restraints on the number of judges required under the "due process" or "access to courts" provisions of the U.S. Constitution and whether a state's judiciary had ever come under federal judicial scrutiny.

Finally, Nancy Griggs of OSCA was available to answer any questions about the information presented to the Committee in response to its requests at the October 13, 2003 meeting.

III. RECOMMENDATIONS

After review of all information received by the Committee during its four information gathering public meetings, the Committee met on November 12, 2003 to formulate a list of recommendations to the General Assembly. The Committee created four categories of recommendations that required changes to: the Missouri Constitution; the Revised Statutes of Missouri; a Missouri Supreme Court Rule and the budgeting process. The following list of recommendations is broken into those four categories. This report also includes, at the end of each category, a list of those recommendations which were offered by a member of the Committee, but rejected by the Committee as a whole.

The Committee also decided to rank recommendations regarding Constitutional changes, statutory changes and budget issues in terms of its level of controversy and the feasibility of implementing the recommendation. Thus, at the end of each recommendation that was accepted by the Committee, there is a notation as to whether the Committee found the recommendation to be of a "low", "moderate" or "high" level of controversy.

RECOMMENDED CONSTITUTIONAL CHANGES

1. Elimination of the one associate circuit judge per county requirement as contained in Article V, Section 16. "High level of controversy".
2. The creation of a Judicial Resources Commission that shall make recommendations on the number of judges and clerk personnel in each circuit. Recommendations would become binding if not disapproved by a concurrent resolution of the General Assembly within a certain period of time. The Commission would make its recommendations every two years. "High level of controversy".
3. Elimination of the associate circuit judge position and conversion of associate circuit judges into circuit judges. "High level of controversy".

RECOMMENDED STATUTORY CHANGES

1. In chapter 544, authorize the issuance of warrants by circuit, rather than by county. Allow for the transmission of warrants by fax or other electronic means. "Low level of controversy".
2. Re-examine the adult abuse law in chapter 455, particularly with regard to the issuance of ex parte orders, to eliminate abuse of this provision. "High level of controversy".
3. The Committee wished to move towards a system where associate circuit judges and circuit judges could hear the same types of cases. Thus, the Committee voted to seek the elimination of the statutory differences in duties between associate and circuit court judges, including the following:

(a) Eliminate the requirement in section 478.240 and in multiple sections of chapter 544 that an associate judge hear a preliminary hearing and a different judge take the plea or try the case on a felony. "High level of controversy";

(b) Eliminate the trial de novo in landlord-tenant actions in chapter 535, forcible entry and unlawful detainer actions in chapter 534 and all cases involving associate circuit judges filed pursuant to chapter 517. "Moderate level of controversy";

(c) Eliminate the requirement in Supreme Court Rule 92.01 and sections 526.010 and 526.020 that only circuit judges can hear an injunction or have an associate specifically assigned to hear it. "High level of controversy.";

(d) Eliminate the requirement in section 482.300 that small claims cases must be heard by an associate circuit judge. "High level of controversy."; and

(e) Modify section 478.240 to authorize both associate circuit judges and circuit judges to handle probate cases. "High level of controversy."

4. The Committee voted to recommend the creation of generic commissioners, rather than commissioners with specified duties, such as probate commissioners, drug court commissioners and family court commissioners. "Moderate level of controversy."

5. Modification of the existing borders of circuits, as described in chapter 478, to merge circuits with a lower volume of cases. "High level of controversy."

6. Modify section 512.020 to permit interlocutory appeals on class certification rulings. "Moderate level of controversy."

7. Convert court reporters into employees of the circuit rather than the judge, as in section 485.040, and have the presiding judge assign a court reporter to each judge. "Moderate level of controversy." Judge Witt differed from the Committee in that he felt the assignment of court reporters should be by local court rule.

8. Modify the reimbursement rate per page for court reporters in section 488.2300. "Moderate level of controversy."

9. Decouple the salary structure for administrative law judges and commissioners from the salary structure of circuit judges. "Moderate level of controversy."

10. Strengthen offers of judgment by creating consequences for failure to accept offers of judgment. "High level of controversy."

11. Repeal the \$25,000 per year allowance given to the St. Louis City Circuit Clerk for legal counsel in section 483.260. "Moderate level of controversy."

12. Convert Public Service Commission hearing officers into administrative law judges.

"Moderate level of controversy."

13. Create a central panel of administrative law judges for all administrative hearings. This would eliminate the current system in which many agencies have their own administrative law judges "High level of controversy."

14. Create a state-wide pool of senior judges who specialize in certain specific areas of law. "High level of controversy."

15. The Committee recommended that the salary schedule in section 485.060 be modified to set a cap on salaries for court reporters, rather than create a minimum salary that is adjusted for inflation. "Moderate level of controversy."

16. As a longer term goal, the Committee recommends that the General Assembly move towards making more circuit clerks appointed, rather than elected. "High level of controversy."

17. Eliminate the larger salary for the circuit clerk of St. Louis City in section 483.083 and make it the same as other charter and first classification counties. "High level of controversy."

18. Modify the current circuit boundaries by doing a state-wide redraw of the circuits. "High level of controversy."

19. Expand the definition of "court costs" to include all types of fees, surcharges and other miscellaneous charges. "Moderate level of controversy."

20. Since 1993, the circuit courts have operated a judge transfer program that seeks to temporarily transfer judges from circuits with less busy dockets to circuits with busier dockets. The Committee recommended that the General Assembly formalize the judge transfer process, including matching up circuits that can transfer judges and those that need judges, so that the same judges are being transferred to the same circuit. "Low level of controversy."

21. Eliminate the automatic disqualification on transfer judges. "High level of controversy."

22. Repeal section 476.330 which requires the annual meeting of the judicial conference and mandatory attendance. "Low level of controversy."

23. Eliminate the two circuit clerks in Marion County as provided in section 478.720. "Low level of controversy."

24. Increase the amount of ounces needed for charging of felony possession of marijuana in section 195.202. "Moderate level of controversy."

25. Authorize the creation of county-wide municipal courts. "Low level of controversy."

26. Amend section 561.031 regarding the ability of a prisoner to physically appear at certain hearing by use of two-way audio-visual equipment to remove duplicative language. "Moderate level of controversy."

27. Currently, section 483.550 provides that circuit clerks are not responsible for collecting fees for processing passport applications. The Committees recommends that section 483.550 be amended to authorize the collection of a fee for the processing of passports by circuit clerks. "Moderate level of controversy."

28. The Committee recommended that the General Assembly require the consolidation of filings in circuit clerks. In other words, eliminate separate filings for associate circuit judges and circuit judges. "High level of controversy."

29. Move probate court staff under the circuit court en banc instead of under the probate judge. "Moderate level of controversy."

30. Reduce the number of deputy probate commissioners in St. Louis City. "Moderate level of controversy."

31. Encourage all circuit courts to have a drug court. "High level of controversy."

32. Create a compensation schedule for court reporters based on workload. "High level of controversy."

33. Create a filing fee for counter-claims, cross-claims and intervenors. "High level of controversy."

STATUTORY CHANGES OFFERED, BUT REJECTED FOR RECOMMENDATION.

1. Creation of video courtrooms where proceedings would be videotaped, rather than transcribed by a court reporter.

2. The elimination of all court costs that are not directly related to the administration of justice.

3. Expanding the work hardships for persons convicted of "driving while suspended" or "driving while revoked."

4. Eliminating the requirement that a clerk be present during all trial proceedings.

RECOMMENDED CHANGES IN COURT RULES

1. In cases with claimed damages of over \$25,000, the Committee recommended enactment of a rule which requires a court to order mediation.

2. The Committee recommended creation of a rule that provides for a time standard for a court to rule on dispositive motions.

3. The Committee recommended creation of a rule to authorize the transfer of court reporters from less busy circuits to busier circuits if necessary so that transcripts will be produced in a

timely fashion.

4. Based on federal rules, the Committee recommended the creation of a standard set of interrogatories that must be filed with the pleadings. Different sets of interrogatories would be created for different case types. No objections would be allowed to the standard interrogatories. Further interrogatories would be allowed by both parties.
5. Based on a local court rule in St. Louis City, the Committee recommended that a rule be enacted to require an offer of judgment to be submitted by both parties in dissolution actions.
6. Instead of the current one-week docket, the Committee voted to recommend that courts be encouraged to use multiple week dockets.
7. Eliminate the automatic change of venue in smaller counties in criminal cases in Rule 32.03. Alternatively, authorize the judge to hear the case in the original county instead of moving the case to a new county.

RECOMMENDATIONS RELATING TO THE BUDGET PROCESS

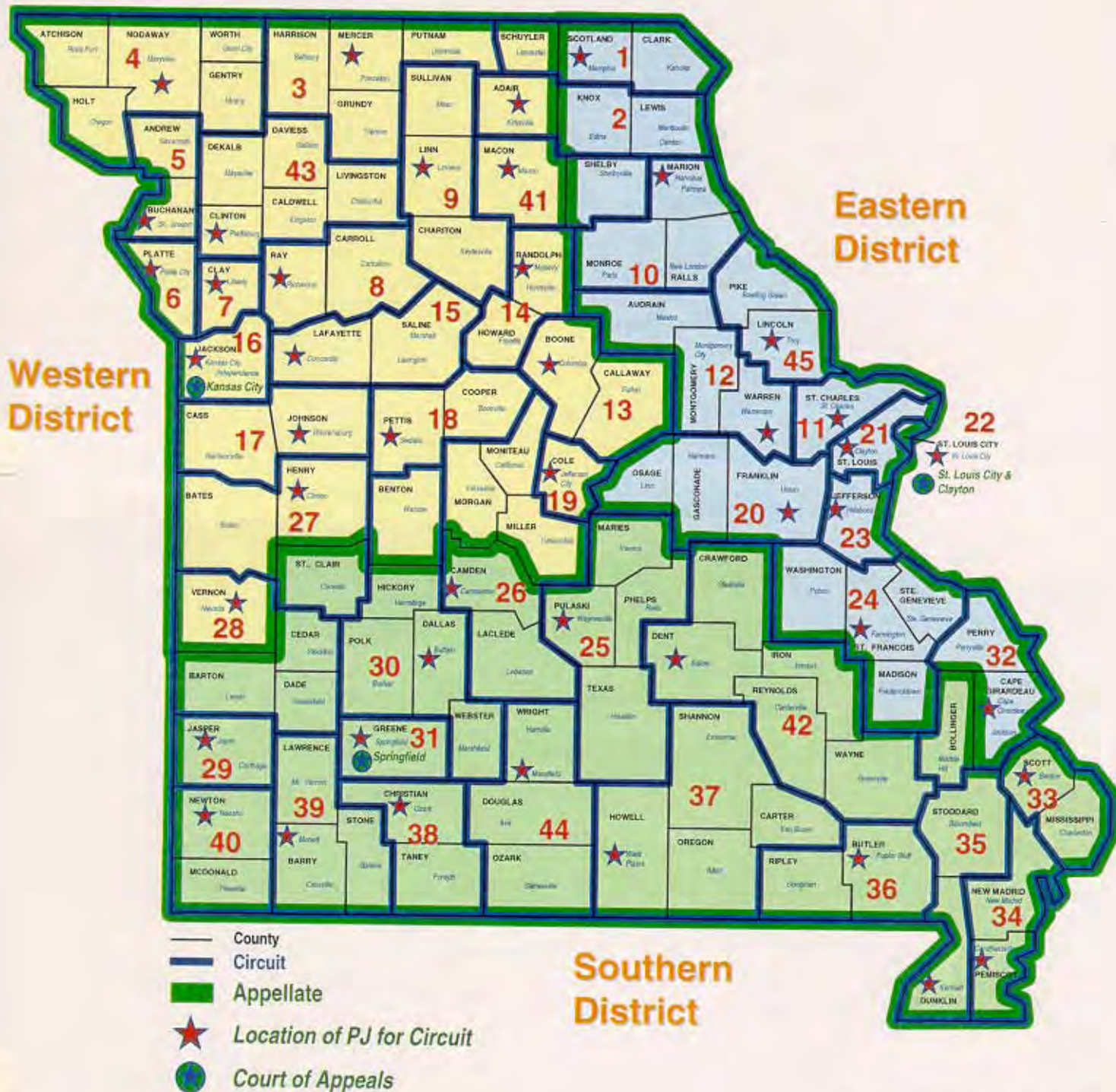
1. The Committee recommended that the General Assembly transfer money from the department of corrections to the drug courts in an amount that reflects the savings offered by drug courts. Based on the testimony of Judge Price, the Committee was convinced that someone who goes through the drug court process costs significantly less than incarceration. "High level of controversy."
2. In making appropriations for circuit clerks, the Committee recommends that the Office of State Courts Administrator use a clerk weighted workload formula that does not differentiate between urban and rural areas. Currently, the appropriation request is based on a formula that provides greater weight to and thus greater staffing requests for urban areas, such as St. Louis City, St. Louis County and Jackson County. "Moderate level of controversy."

BUDGET ISSUE OFFERED, BUT REJECTED FOR RECOMMENDATION

1. Increase the appropriation to the court automation fund created pursuant to section 476.055.

IV. APPENDICES

Missouri's 45 Judicial Circuits and 3 Appellate Districts



National Perspective

Filings per Judge - 2001

(Source: Examining the Work of State Courts, page 12)

United States

Rank	State	Filings per Judge
1	South Dakota	2,540
2	Minnesota	1,845
3	Missouri current data -FY 2004 ²	1,832
4	North Dakota	1,807
5	Wisconsin	1,807
6	Missouri with Probate and Family Court Commissioners ³	1,695
7	Connecticut	1,581
8	Kansas	1,571
9	Missouri 2001 data	1,533
10	California	1,501
11	Illinois	1,492
12	Iowa	1,448

All Other Reporting States⁴

1	South Carolina	3,378
2	Utah	3,198
3	North Carolina	2,880
4	New Jersey	2,620
5	Indiana	2,308
6	Florida	2,210
7	New Hampshire	2,095
8	Tennessee	1,986
9	Vermont	1,968
10	Oregon	1,871
11	Virginia	1,832
12	Maryland	1,742
13	Georgia	1,658
14	Texas	1,606
15	Missouri (circuit only)	1543
16	Louisiana	1,529
17	Pennsylvania	1,527
18	Ohio	1,466
19	Arkansas	1,387
20	Michigan	1,375
21	Nevada	1,375
22	Alabama	1,294

National Perspective

Filings per Judge - 2001

(Source: Examining the Work of State Courts, page 12)

Rank	State	Filings per Judge
23	New Mexico	1,202
24	Washington	1,136
25	Delaware	1,134
26	Colorado	1,056
27	Arizona	1,019
28	West Virginia	942
29	Kentucky	928
30	New York	926
31	Maine	758
32	Hawaii	734
33	Nebraska	717
34	Rhode Island	686
35	Montana	677
36	Idaho	484
37	Alaska	472
38	Massachusetts	379

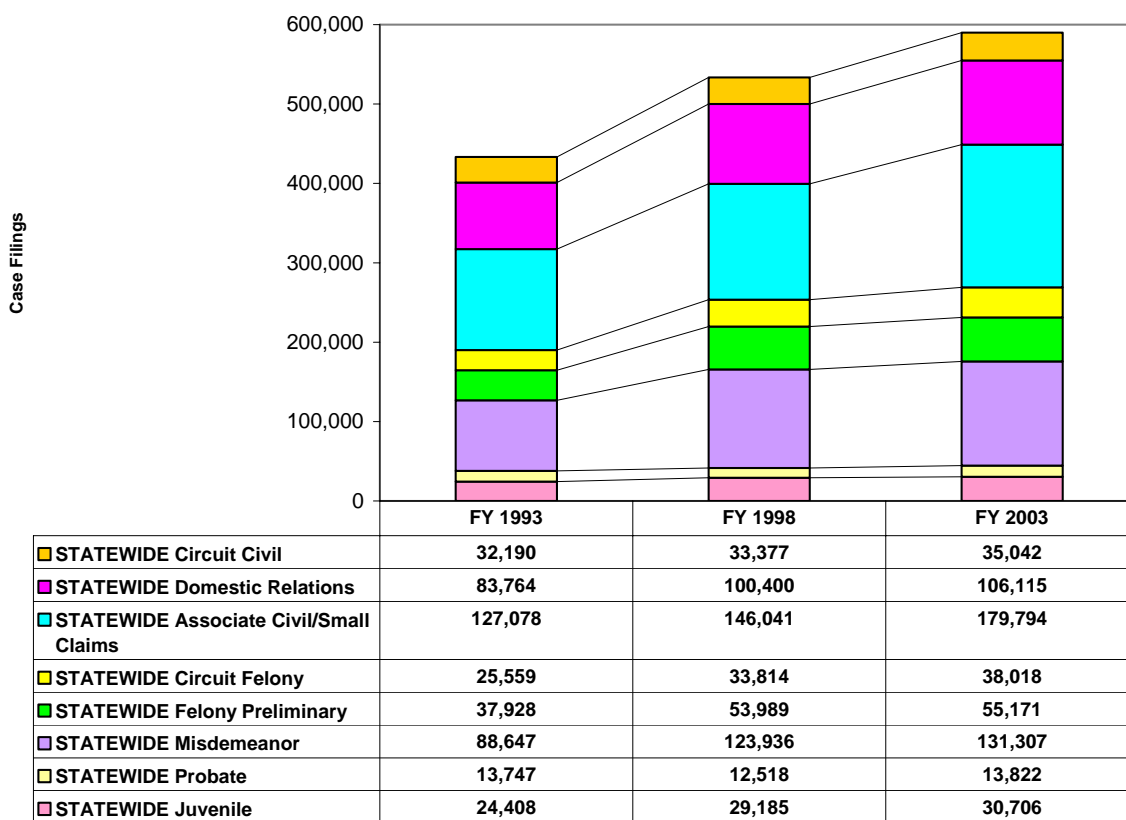
¹ Ranked by highest number of filings per judge to lowest number of filings per judge.

² Missouri has added judges since 2001. Therefore, current (FY 2004) information is also provided for Missouri to be consistent with other states. Missouri data includes circuit and associate circuit judges, not commissioners.

³ Because Missouri also uses 26 probate and family court commissioners, these were added to the total circuit and associate judges.

⁴ To compare Missouri to states that do not have a unified court system, a comparison of circuit judges (excluding associate judges and commissioners) was compiled.

Statewide Caseload and Judicial and Staff Resources Summary Fiscal Years 1993, 1998 and 2003



	FY 1993	FY 1998	FY 2003
Traffic and Ordinance	369,420	407,848	282,045

Jury Trials	1903	2392	1777
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Receipts (CY 92, 97,02)	N/A	\$252,839,627.24	\$369,842,027.91
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Judicial Resources			
Circuit	134	135	136
Associate	175	175	186
Probate & Family Court Commissioners	11	23	26

Juvenile Court Staff	45	475.95	507.95
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Court Reporter	134	135	136
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Clerical and Administrative Personnel			
Circuit Clerk	116	116	116
Non-Statutory	1462.1	1653	1675.4
Other Staff	45	49	69

HISTORY OF JUDICIARY FUNDING

Fiscal Year	Total State Budget	Total Judiciary Budget	Judiciary % of Total State Budget	Total State General Revenue Budget	Judiciary General Revenue Budget	Judiciary % of State Gen. Rev.	Circuit Court General Revenue Budget	Circuit Court % of State Gen. Rev.
1983	\$4,688,000,789	\$41,987,174	0.90%	\$2,316,814,649	\$41,955,651	1.81%	\$34,709,354	1.50%
1984	\$4,553,659,994	\$43,839,857	0.96%	\$2,307,266,052	\$43,802,964	1.90%	\$36,210,453	1.57%
1985	\$5,159,434,913	\$52,025,303	1.01%	\$2,484,923,376	\$51,988,236	2.09%	\$43,276,285	1.74%
1986	\$6,054,773,078	\$58,237,695	0.96%	\$2,922,303,092	\$58,195,432	1.99%	\$48,556,786	1.66%
1987	\$6,124,252,768	\$60,542,227	0.99%	\$3,158,723,481	\$60,460,508	1.91%	\$50,407,136	1.60%
1988	\$6,504,448,848	\$62,979,869	0.97%	\$3,311,089,890	\$62,876,769	1.90%	\$52,031,728	1.57%
1989	\$6,794,988,567	\$64,239,390	0.95%	\$3,551,237,246	\$64,151,947	1.81%	\$53,078,850	1.49%
1990	\$7,541,434,561	\$68,671,146	0.91%	\$4,092,341,714	\$68,616,073	1.68%	\$56,940,645	1.39%
1991	\$8,195,173,793	\$71,418,897	0.87%	\$4,208,945,901	\$71,349,704	1.70%	\$59,342,798	1.41%
1992	\$9,236,070,951	\$72,550,316	0.79%	\$4,249,559,682	\$72,473,197	1.71%	\$60,361,090	1.42%
1993	\$9,531,749,393	\$73,347,434	0.77%	\$4,285,543,596	\$73,091,011	1.71%	\$60,956,135	1.42%
1994	\$10,300,182,636	\$75,349,254	0.73%	\$4,578,942,820	\$75,055,737	1.64%	\$62,645,304	1.37%
1995	\$11,682,538,183	\$80,374,828	0.69%	\$5,088,275,931	\$79,307,485	1.56%	\$65,999,652	1.30%
1996	\$12,114,527,069	\$88,478,469 *	0.73%	\$5,490,627,238	\$83,215,732	1.52%	\$69,076,905	1.26%
1997	\$12,634,279,022	\$97,410,557 *	0.77%	\$5,926,115,185	\$88,991,143	1.50%	\$73,758,476	1.24%
1998	\$13,602,431,559	\$101,790,609 *	0.75%	\$6,268,496,358	\$94,248,289	1.50%	\$77,969,435	1.24%
1999	\$15,056,285,071	\$119,347,559 *	0.79%	\$6,890,668,255	\$106,292,792	1.54%	\$81,440,998	1.18%
2000	\$15,985,962,895	\$142,875,524 *	0.89%	\$7,320,795,398	\$130,888,089	1.79%	\$100,786,637	1.38%
2001	\$16,701,377,236	\$151,863,651 *	0.91%	\$7,722,584,075	\$143,690,464	1.86%	\$106,500,222	1.38%
2002	\$17,875,907,702	\$149,373,807 *	0.84%	\$7,742,950,476	\$140,517,393	1.81%	\$107,409,529	1.39%
2003	\$20,202,003,735	\$149,076,641 *	0.74%	\$8,319,689,211	\$139,003,782	1.67%	\$107,875,317	1.30%
2004 +	\$21,535,690,761	\$160,764,274 *	0.75%	\$8,317,377,302	\$137,546,486	1.65%	\$108,732,964	1.31%

Actual Expenditures include transfers (desegregation, etc), supplementals, and capital improvements.

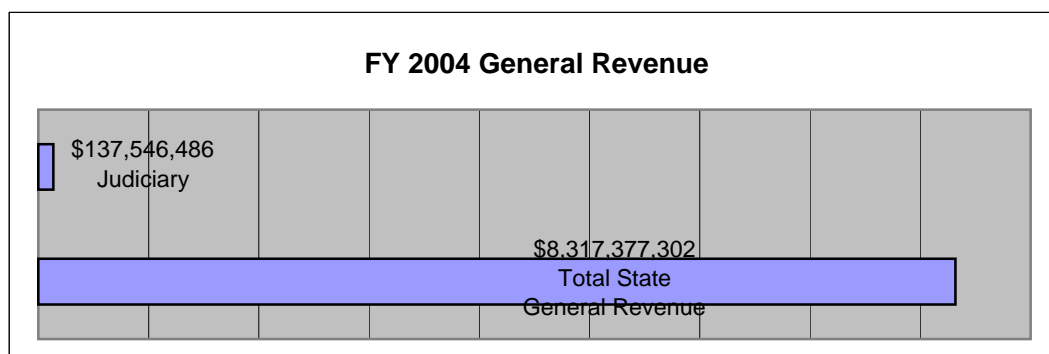
+Total amount appropriated, including transfers.

*Includes court automation fund.

**Includes all general revenue transfers to judiciary funds.

**Does not include double count of expenditure from the fund i.e. judicial education and training fund.

Source: Actual Expenditures from the Missouri Executive Budget Book, Budget Summary Tables.



Missouri Perspective

Population per Judge

(Source: Missouri County Population Estimates, July, 2002, published by the Population Div. of the U.S. Census Bureau)

Rank	Circuit	Population/ Judge	Circuit Population	Circuit Judges	Associate Judges	Commissioners	Judges/ Commissioners ²
1	11	30,303	303,030	4	4	2	10
2	21	26,105	1,018,102	13	20	6	39
3	23	25,499	203,993	3	4	1	8
4	7	23,923	191,381	3	4	1	8
5	17	22,848	137,089	4	2	0	6
6	31	20,280	243,355	4	5	3	12
7	38	19,944	99,718	4	1	0	5
8	16	18,879	660,773	9	19	7	35
9	40	18,704	74,817	3	1	0	4
10	13	18,170	181,702	6	3	1	10
11	19	17,974	71,894	1	3	0	4
12	29	17,846	107,073	3	3	0	6
13	20	17,770	124,391	5	2	0	7
14	32	16,672	100,033	4	2	0	6
15	39	16,665	99,990	5	1	0	6
16	12	15,974	63,895	3	1	0	4
17	24	15,741	110,189	5	2	0	7
18	6	15,531	77,655	3	2	0	5
19	45	15,167	60,669	3	1	0	4
20	25	14,690	117,520	6	2	0	8
21	30	14,678	102,747	6	1	0	7
22	5	14,581	102,064	3	4	0	7
23	26	14,378	129,406	7	2	0	9
24	18	14,137	56,549	3	1	0	4
25	33	13,561	54,245	3	1	0	4
26	36	13,541	54,163	3	1	0	4
27	35	12,527	62,633	4	1	0	5
28	27	12,222	48,889	3	1	0	4
29	10	11,731	46,925	3	1	0	4
30	14	11,568	34,703	2	1	0	3
31	8	11,358	34,074	2	1	0	3
32	15	11,229	56,143	4	1	0	5
33	28	10,968	54,838	4	1	0	5
34	37	10,298	61,787	5	1	0	6
35	44	10,191	40,762	3	1	0	4
36	2	9,904	39,615	3	1	0	4

Missouri Perspective

Population per Judge

(Source: Missouri County Population Estimates, July, 2002, published by the Population Div. of the U.S. Census Bureau)

Rank	Circuit	Population/ Judge	Circuit Population	Circuit Judges	Associate Judges	Commissioners	Judges/ Commissioners ²
37	34	9,747	38,987	3	1	0	4
38	42	9,747	68,227	5	2	0	7
39	22	9,399	338,353	7	24	5	36
40	43	8,942	62,594	5	2	0	7
41	41	7,393	22,178	2	1	0	3
42	9	7,257	29,027	3	1	0	4
43	4	7,003	42,015	5	1	0	6
44	3	5,575	27,875	4	1	0	5
45	1	4,128	16,511	3	1	0	4
Total		16,301	5,672,579	186	136	26	348

¹ Ranked by highest population per judge to lowest population per judge.

² Judges/Commissioners include circuit and associate circuit judges and probate and family court commissioners.

Missouri Perspective

Average Filings per Judge - FY 2003

Rank	Circuit	Average Filings ² per Judge	Total Filings	Judges/ Commissioners ³
1	31	2,667.42	32,009	12
2	29	2,314.00	13,884	6
3	40	2,200.25	8,801	4
4	23	2,177.75	17,422	8
5	33	2,114.75	8,459	4
6	11	2,095.20	20,952	10
7	16	2,052.94	71,853	35
8	21	2,042.74	79,667	39
9	07	2,035.75	16,286	8
10	38	2,017.40	10,087	5
11	35	1,988.80	9,944	5
12	13	1,934.60	19,346	10
13	19	1,932.50	7,730	4
14	39	1,930.33	11,582	6
15	24	1,901.14	13,308	7
16	17	1,871.83	11,231	6
17	12	1,826.50	7,306	4
18	26	1,812.33	16,311	9
19	32	1,702.00	10,212	6
20	05	1,669.14	11,684	7
21	45	1,656.25	6,625	4
22	36	1,594.00	6,376	4
23	18	1,565.00	6,260	4
24	06	1,527.40	7,637	5
25	34	1,520.00	6,080	4
26	10	1,500.00	6,000	4
27	20	1,490.14	10,431	7
28	14	1,447.33	4,342	3
29	25	1,433.38	11,467	8
30	22	1,431.86	51,547	36
31	30	1,416.14	9,913	7
32	27	1,360.25	5,441	4
33	28	1,197.20	5,986	5
34	37	1,197.17	7,183	6
35	42	1,178.57	8,250	7
36	44	1,140.00	4,560	4
37	15	1,119.80	5,599	5
38	02	1,034.75	4,139	4

Missouri Perspective

Average Filings per Judge - FY 2003

Rank	Circuit	Average Filings ² per Judge	Total Filings	Judges/ Commissioners ³
39	08	1,007.00	3,021	3
40	43	953.57	6,675	7
41	41	941.67	2,825	3
42	09	721.50	2,886	4
43	03	630.00	3,150	5
44	04	555.17	3,331	6
45	01	446.25	1,785	4

¹ Ranked by highest number of average filings per judge to lowest number of average filings per judge.

² Preliminary FY 03 filings include all filings except traffic, ordinance, and municipal certifications.

³ Judges include Circuit, Associate Circuit, Family and Probate Commissioners. For a breakdown by type of judge or commissioner, please refer to page 12.

Missouri Perspective

Complex Circuit Civil: Average Filings per Judge - FY 2003

Rank	Circuit	Average Filings ² per Judge	Total Filings	Judges/ Commissioners ³
1	22	64.00	2304	36
2	31	40.67	488	12
3	16	38.69	1354	35
4	21	33.59	1310	39
5	23	31.00	248	8
6	11	30.70	307	10
7	29	24.33	146	6
8	36	23.25	93	4
9	19	22.00	88	4
10	13	18.50	185	10
11	17	18.50	111	6
12	33	16.75	67	4
13	38	16.40	82	5
14	37	15.67	94	6
15	40	14.00	56	4
16	17	13.75	55	4
17	32	13.50	81	6
18	5	13.43	94	7
19	7	12.00	96	8
20	14	11.67	35	3
21	20	11.57	81	7
22	35	11.40	57	5
23	39	11.33	68	6
24	30	11.14	78	7
25	12	11.00	44	4
26	25	10.88	87	8
27	6	10.60	53	5
28	24	10.14	71	7
29	26	9.89	89	9
30	15	9.40	47	5
31	34	8.50	34	4
32	10	8.25	33	4
33	45	7.75	31	4
34	44	7.25	29	4
35	28	7.00	35	5
36	27	6.75	27	4
37	41	6.67	20	3
38	42	6.29	44	7

Missouri Perspective

Complex Circuit Civil: Average Filings per Judge - FY 2003

Rank	Circuit	Average Filings ² per Judge	Total Filings	Judges/ Commissioners ³
39	43	5.43	38	7
40	8	5.00	15	3
41	2	4.75	19	4
42	4	3.67	22	6
43	9	3.25	13	4
44	3	2.00	10	5
45	1	1.50	6	4

¹ Ranked by highest number of average filings per judge to lowest number of average filings per judge.

² Preliminary FY 03 complex circuit civil filings include asbestos; personal injury - Federal Employer Liability Act; malpractice; product liability; eminent domain - state and other; exception; and wrongful death case types.

³ Judges include Circuit, Associate Circuit, Family and Probate Commissioners. For a breakdown by type of judge or commissioner, please refer to page 12.

Missouri Perspective

Other Circuit Civil: Average Filings per Judge - FY2003

Rank	Circuit	Average Filings ² per Judge	Total Filings	Judges/ Commissioners ³
1	19	169.25	677	4
2	22	131.17	4,722	36
3	21	122.82	4,790	39
4	23	112.88	903	8
5	31	110.50	1,326	12
6	38	96.80	484	5
7	11	94.00	940	10
8	29	90.33	542	6
9	16	81.89	2,866	35
10	6	79.00	395	5
11	7	76.50	612	8
12	17	76.00	456	6
13	26	70.89	638	9
14	24	68.71	481	7
15	39	68.50	411	6
16	17	66.00	264	4
17	45	64.75	259	4
18	27	59.75	239	4
19	20	58.71	411	7
20	14	57.67	173	3
21	30	54.43	381	7
22	35	53.00	265	5
23	13	52.10	521	10
24	33	52.00	208	4
25	34	50.75	203	4
26	5	50.29	352	7
27	36	50.25	201	4
28	25	47.50	380	8
29	32	47.33	284	6
30	12	46.25	185	4
31	37	45.00	270	6
32	15	39.80	199	5
33	44	36.25	145	4
34	43	35.71	250	7
35	10	35.50	142	4
36	42	32.43	227	7
37	18	32.25	129	4
38	8	31.00	93	3

Missouri Perspective

Other Circuit Civil: Average Filings per Judge - FY2003

Rank	Circuit	Average Filings ² per Judge	Total Filings	Judges/ Commissioners ³
39	28	29.60	148	5
40	2	27.50	110	4
41	41	23.00	69	3
42	9	19.00	76	4
43	3	18.60	93	5
44	4	18.33	110	6
45	1	16.75	67	4

¹ Ranked by highest number of average filings per judge to lowest number of average filings per judge.

² Preliminary FY 03 other circuit civil filings include all civil cases involving amounts over \$25,000; administrative review cases; extraordinary remedy cases, such as habeas corpus and injunctions; tax actions; and motions for post conviction relief (Supreme Court Rules 24.035 and 29.15).

³ Judges include Circuit, Associate Circuit, Family and Probate Commissioners. For a breakdown by type of judge or commissioner, please refer to page 12.

Missouri Perspective

Domestic Relations: Average Filings per Judge - FY 2003

Rank	Circuit	Average Filings ² per Judge	Total Filings	Judges/ Commissioners ³
1	16	436.74	15,286	35
2	29	435.50	2,613	6
3	7	432.25	3,458	8
4	23	421.25	3,370	8
5	31	417.50	5,010	12
6	11	407.90	4,079	10
7	38	351.60	1,758	5
8	32	347.83	2,087	6
9	21	342.38	13,353	39
10	25	338.88	2,711	8
11	40	335.00	1,340	4
12	13	333.10	3,331	10
13	17	332.83	1,997	6
14	19	332.50	1,330	4
15	36	328.25	1,313	4
16	17	326.25	1,305	4
17	12	316.75	1,267	4
18	5	314.86	2,204	7
19	27	303.50	1,214	4
20	33	296.00	1,184	4
21	20	283.57	1,985	7
22	24	281.57	1,971	7
23	35	280.00	1,400	5
24	28	279.20	1,396	5
25	39	270.83	1,625	6
26	10	270.00	1,080	4
27	26	265.67	2,391	9
28	34	261.00	1,044	4
29	22	256.19	9,223	36
30	37	253.83	1,523	6
31	6	250.40	1,252	5
32	18	243.00	972	4
33	44	243.00	972	4
34	30	229.14	1,604	7
35	15	220.80	1,104	5
36	8	209.33	628	3
37	42	195.00	1,365	7
38	14	192.33	577	3

Missouri Perspective

Domestic Relations: Average Filings per Judge - FY 2003

Rank	Circuit	Average Filings ² per Judge	Total Filings	Judges/ Commissioners ³
39	43	155.14	1,086	7
40	2	126.00	504	4
41	9	110.50	442	4
42	4	107.33	644	6
43	3	104.80	524	5
44	41	90.67	272	3
45	1	80.25	321	4

¹ Ranked by highest number of average filings per judge to lowest number of average filings per judge.

² Preliminary FY 03 domestic relations filings include dissolution of marriage; legal separation; annulment; separate maintenance; adult abuse; motions to modify; motions for contempt in domestic relations cases; contested actions involving administrative support orders of the Department of Social Services; child protection orders; paternity; and writs of habeas corpus in child custody cases.

³ Judges include Circuit, Associate Circuit, Family and Probate Commissioners. For a breakdown by type of judge or commissioner, please refer to page 12.

Missouri Perspective

Associate Civil/Small Claims: Average Filings per Judge - FY 2003

Rank	Circuit	Average Filings ² per Judge	Total Filings	Judges/ Commissioners ³
1	21	951.85	37,122	39
2	16	908.57	31,800	35
3	07	744.63	5,957	8
4	31	727.83	8,734	12
5	11	642.00	6,420	10
6	23	623.13	4,985	8
7	29	608.83	3,653	6
8	38	544.20	2,721	5
9	17	528.00	3,168	6
10	13	516.20	5,162	10
11	05	503.14	3,522	7
12	22	492.25	17,721	36
13	14	486.67	1,460	3
14	33	479.75	1,919	4
15	19	438.00	1,752	4
16	17	422.50	1,690	4
17	45	422.25	1,689	4
18	32	416.67	2,500	6
19	18	416.50	1,666	4
20	35	415.20	2,076	5
21	12	404.50	1,618	4
22	20	402.57	2,818	7
23	40	400.25	1,601	4
24	39	397.83	2,387	6
25	06	396.40	1,982	5
26	24	362.57	2,538	7
27	36	340.00	1,360	4
28	26	317.56	2,858	9
29	08	269.33	808	3
30	27	269.00	1,076	4
31	34	266.00	1,064	4
32	02	258.50	1,034	4
33	15	247.80	1,239	5
34	30	235.00	1,645	7
35	25	221.50	1,772	8
36	28	201.20	1,006	5
37	41	184.67	554	3
38	37	179.83	1,079	6

Missouri Perspective

Associate Civil/Small Claims: Average Filings per Judge - FY 2003

Rank	Circuit	Average Filings ² per Judge	Total Filings	Judges/ Commissioners ³
39	42	173.71	1,216	7
40	43	171.86	1,203	7
41	09	168.25	673	4
42	44	153.25	613	4
43	04	121.33	728	6
44	03	107.60	538	5
45	01	68.75	275	4

¹ Ranked by highest number of average filings per judge to lowest number of average filings per judge.

² Preliminary FY 03 associate civil/small claims filings include cases in which the amount in dispute does not exceed \$25,000; hardship driving; replevin; forcible entry and unlawful detainer; and landlord tenant actions. The jurisdictional limit on small claims cases is \$3,000.

³ Judges include Circuit, Associate Circuit, Family and Probate Commissioners. For a breakdown by type of judge or commissioner, please refer to page 12.

Missouri Perspective

Circuit Felony: Average Filings per Judge - FY 2003

Rank	Circuit	Average Filings ² per Judge	Total Filings	Judges/ Commissioners ³
1	33	207.75	831	4
2	12	173.50	694	4
3	24	172.29	1,206	7
4	35	169.80	849	5
5	40	165.00	660	4
6	31	159.58	1,915	12
7	32	155.83	935	6
8	39	151.50	909	6
9	34	141.25	565	4
10	38	132.60	663	5
11	15	131.80	659	5
12	18	131.25	525	4
13	20	127.86	895	7
14	45	126.50	506	4
15	16	124.57	4,360	35
16	17	122.33	367	3
17	36	117.75	471	4
18	26	116.56	1,049	9
19	21	115.28	4,496	39
20	11	115.20	1,152	10
21	17	114.00	684	6
22	5	110.43	773	7
23	30	107.00	749	7
24	42	105.86	741	7
25	41	105.67	317	3
26	29	98.67	592	6
27	22	97.19	3,499	36
28	19	92.75	371	4
29	13	92.50	925	10
30	25	90.88	727	8
31	23	84.38	675	8
32	28	83.80	419	5
33	27	82.00	328	4
34	8	78.33	235	3
35	44	77.50	310	4
36	2	76.50	306	4
37	37	72.50	435	6
38	7	71.75	574	8

Missouri Perspective

Circuit Felony: Average Filings per Judge - FY 2003

Rank	Circuit	Average Filings ² per Judge	Total Filings	Judges/ Commissioners ³
39	10	62.50	250	4
40	43	59.43	416	7
41	9	58.00	232	4
42	3	53.80	269	5
43	6	45.80	229	5
44	4	28.67	172	6
45	1	20.75	83	4

¹ Ranked by highest number of average filings per judge to lowest number of average filings per judge.

² Preliminary FY 03 circuit felony filings reflect information or indictments alleging commission of a felony offense. Includes felony cases that were reduced to misdemeanors.

³ Judges include Circuit, Associate Circuit, Family and Probate Commissioners. For a breakdown by type of judge or commissioner, please refer to page 12.

Missouri Perspective

Felony Preliminary: Average Filings per Judge - FY 2003

Rank	Circuit	Average Filings ² per Judge	Total Filings	Judges/ Commissioners ³
1	29	385.33	2,312	6
2	40	358.25	1,433	4
3	33	333.75	1,335	4
4	39	290.17	1,741	6
5	35	259.40	1,297	5
6	24	249.29	1,745	7
7	38	232.60	1,163	5
8	32	227.00	1,362	6
9	12	216.50	866	4
10	36	201.50	806	4
11	26	197.56	1,778	9
12	25	196.50	1,572	8
13	31	191.75	2,301	12
14	30	189.86	1,329	7
15	44	177.75	711	4
16	17	177.00	708	4
17	7	170.13	1,361	8
18	34	169.50	678	4
19	18	168.75	675	4
20	17	164.33	986	6
21	16	161.43	5,650	35
22	42	158.71	1,111	7
23	28	157.40	787	5
24	37	155.83	935	6
25	11	155.40	1,554	10
26	13	151.30	1,513	10
27	27	144.75	579	4
28	5	133.00	931	7
29	41	129.67	389	3
30	2	128.25	513	4
31	21	124.21	4,844	39
32	22	122.22	4,400	36
33	14	119.67	359	3
34	20	117.86	825	7
35	23	111.13	889	8
36	8	110.67	332	3
37	43	103.57	725	7
38	15	95.80	479	5

Missouri Perspective

Felony Preliminary: Average Filings per Judge - FY 2003

Rank	Circuit	Average Filings ² per Judge	Total Filings	Judges/ Commissioners ³
39	10	86.00	344	4
40	3	81.60	408	5
41	9	79.75	319	4
42	19	79.50	318	4
43	6	75.80	379	5
44	4	45.17	271	6
45	1	39.50	158	4

¹ Ranked by highest number of average filings per judge to lowest number of average filings per judge.

² Preliminary FY 03 felony preliminary filings include felonies filed at the associate court level by complaint. Includes felony complaints that were later reduced to misdemeanors.

³ Judges include Circuit, Associate Circuit, Family and Probate Commissioners. For a breakdown by type of judge or commissioner, please refer to page 12.

Missouri Perspective

Misdemeanor: Average Filings per Judge - FY 2003

Rank	Circuit	Average Filings ² per Judge	Total Filings	Judges/ Commissioners ³
1	31	915.50	10,986	12
2	26	769.44	6,925	9
3	19	702.25	2,809	4
4	40	685.00	2,740	4
5	39	643.17	3,859	6
6	35	620.20	3,101	5
7	6	618.20	3,091	5
8	24	579.29	4,055	7
9	34	577.25	2,309	4
10	13	563.50	5,635	10
11	12	553.00	2,212	4
12	11	552.00	5,520	10
13	33	549.25	2,197	4
14	30	536.86	3,758	7
15	38	520.80	2,604	5
16	17	514.63	4,117	8
17	17	509.17	3,055	6
18	10	504.00	2,016	4
19	18	485.25	1,941	4
20	29	473.33	2,840	6
21	36	461.75	1,847	4
22	42	452.57	3,168	7
23	45	431.50	1,726	4
24	37	422.00	2,532	6
25	27	420.00	1,680	4
26	32	410.00	2,460	6
27	14	407.67	1,223	3
28	5	405.86	2,841	7
29	7	405.63	3,245	8
30	25	405.25	3,242	8
31	20	404.43	2,831	7
32	44	382.00	1,528	4
33	43	381.00	2,667	7
34	28	342.80	1,714	5
35	2	310.50	1,242	4
36	15	310.40	1,552	5
37	41	276.00	828	3
38	8	243.33	730	3

Missouri Perspective

Misdemeanor: Average Filings per Judge - FY 2003

Rank	Circuit	Average Filings ² per Judge	Total Filings	Judges/ Commissioners ³
39	9	242.75	971	4
40	3	216.40	1,082	5
41	1	189.00	756	4
42	16	178.94	6,263	35
43	4	177.67	1,066	6
44	21	137.77	5,373	39
45	22	82.50	2,970	36

¹ Ranked by highest number of average filings per judge to lowest number of average filings per judge.

² Preliminary FY 03 misdemeanor filings include information alleging commission of a misdemeanor offense. Includes cases originally filed in either the circuit or associate division of the circuit court. Non-traffic infractions and conservation/watercraft offenses are included. More serious traffic offenses including driving while intoxicated, leaving the scene of an accident, or driving while the license is suspended or revoked are included as misdemeanors.

³ Judges include Circuit, Associate Circuit, Family and Probate Commissioners. For a breakdown by type of judge or commissioner, please refer to page 12.

Missouri Perspective

Probate: Average Filings per Judge - FY 2003

Rank	Circuit	Average Filings ² per Judge	Total Filings	Judges/ Commissioners ³
1	24	93.86	657	7
2	13	74.60	746	10
3	25	72.50	580	8
4	33	59.25	237	4
5	40	58.50	234	4
6	28	57.60	288	5
7	29	54.50	327	6
8	12	49.75	199	4
9	11	48.40	484	10
10	07	47.00	376	8
11	36	47.00	188	4
12	23	45.63	365	8
13	21	45.54	1,776	39
14	38	41.40	207	5
15	39	40.83	245	6
16	17	40.00	200	5
17	17	39.00	234	6
18	18	38.75	155	4
19	27	38.75	155	4
20	10	37.75	151	4
21	32	36.83	221	6
22	19	36.50	146	4
23	31	36.00	432	12
24	04	35.33	212	6
25	16	34.43	1,205	35
26	22	34.08	1,227	36
27	05	32.29	226	7
28	30	31.71	222	7
29	45	31.25	125	4
30	15	31.20	156	5
31	08	31.00	93	3
32	20	31.00	217	7
33	02	29.00	116	4
34	37	29.00	174	6
35	26	27.44	247	9
36	14	25.00	75	3
37	06	24.80	124	5
38	03	24.20	121	5

Missouri Perspective

Probate: Average Filings per Judge - FY 2003

Rank	Circuit	Average Filings ² per Judge	Total Filings	Judges/ Commissioners ³
39	41	23.67	71	3
40	09	23.25	93	4
41	44	23.00	92	4
42	34	22.00	88	4
43	42	21.71	152	7
44	43	17.71	124	7
45	01	14.75	59	4

¹ Ranked by highest number of average filings per judge to lowest number of average filings per judge.

² Preliminary FY 03 probate filings include decedents' estates; minors' guardianships and conservatorships; incapacitated/disabled persons' guardianships and conservatorships; and mental health petitions. Mental health petitions are petitions for 21 days, 30 days, 90 days, or one-year involuntary detention, treatment, or rehabilitation for a mental disorder or abuse of alcohol and/or drugs.

³ Judges include Circuit, Associate Circuit, Family and Probate Commissioners. For a breakdown by type of judge or commissioner, please refer to page 12.

Missouri Perspective

Juvenile: Average Filings per Judge - FY 2003

Rank	Circuit	Average Filings ² per Judge	Total Filings	Judges/ Commissioners ³
1	23	233.75	1,870	8
2	21	169.31	6,603	39
3	22	152.25	5,481	36
4	29	143.17	859	6
5	35	139.80	699	5
6	13	132.80	1,328	10
7	33	120.25	481	4
8	40	118.25	473	4
9	05	105.86	741	7
10	41	101.67	305	3
11	17	90.00	540	6
12	16	87.69	3,069	35
13	24	83.43	584	7
14	38	81.00	405	5
15	07	75.88	607	8
16	17	73.75	295	4
17	10	73.50	294	4
18	45	69.00	276	4
19	31	68.08	817	12
20	19	59.75	239	4
21	39	56.17	337	6
22	12	55.25	221	4
23	20	52.57	368	7
24	11	49.60	496	10
25	25	49.50	396	8
26	32	47.00	282	6
27	44	40.00	160	4
28	28	38.60	193	5
29	26	37.33	336	9
30	27	35.75	143	4
31	18	35.50	142	4
32	15	32.80	164	5
33	42	32.29	226	7
34	08	29.00	87	3
35	06	26.40	132	5
36	14	24.33	73	3
37	36	24.25	97	4
38	34	23.75	95	4

Missouri Perspective

Juvenile: Average Filings per Judge - FY 2003

Rank	Circuit	Average Filings ² per Judge	Total Filings	Judges/ Commissioners ³
39	43	23.71	166	7
40	37	23.50	141	6
41	03	21.00	105	5
42	30	21.00	147	7
43	04	17.67	106	6
44	09	16.75	67	4
45	01	15.00	60	4

¹ Ranked by highest number of average filings per judge to lowest number of average filings per judge.

² Preliminary FY 03 juvenile filings include both new cases and supplemental filings, additional petitions or motions to modify filed under an existing case number after a disposition has been rendered on the original petition. Referrals to the juvenile officer or to the juvenile court in which no petition is filed are not included. Administrative and informal work is not reflected.

³ Judges include Circuit, Associate Circuit, Family and Probate Commissioners. For a breakdown by type of judge or commissioner, please refer to page 12.

Missouri Perspective

Comparison of Rankings for All Case Types - FY 2003

Average Filing per Judge

	All Cases	Complex	Circuit				Fel			
	Circuit	CCV	Civil	Dom Rel	ACV-SC	Circ Fel	Prelim	Misd	Probate	Juvenile
Circuit	Rank	Circuit	Circuit	Circuit	Circuit	Circuit	Circuit	Circuit	Circuit	Circuit
1	45	45	45	45	45	45	45	41	45	45
2	38	41	40	40	32	36	30	35	33	16
3	43	44	43	43	44	42	40	40	38	41
4	44	42	44	42	43	44	44	43	24	43
5	20	18	26	18	11	22	28	28	27	9
6	24	27	10	31	25	43	43	7	37	35
7	9	19	11	3	3	38	17	29	10	15
8	39	40	38	36	29	34	36	38	31	34
9	42	43	42	41	41	41	41	39	40	44
10	26	32	35	26	16	39	39	18	20	17
11	6	6	7	6	5	20	25	12	9	24
12	17	25	30	17	21	2	9	11	8	22
13	12	10	23	12	10	29	26	10	2	6
14	28	20	20	38	13	16	33	27	36	36
15	37	30	32	35	33	11	38	36	30	32
16	7	3	9	1	2	15	21	42	25	12
17	16	11	12	13	9	21	20	17	17	11
18	23	16	37	32	19	12	19	19	18	31
19	13	9	1	14	15	28	42	3	22	20
20	27	21	19	21	22	13	34	31	32	23
21	8	4	3	9	1	19	31	44	13	2
22	30	1	2	29	12	27	32	45	26	3
23	4	5	4	4	6	31	35	16	12	1
24	15	28	14	22	26	3	6	8	1	13
25	29	26	28	10	35	30	12	30	3	25
26	18	29	13	27	28	18	11	2	35	29
27	32	36	18	19	30	33	27	25	19	30
28	33	35	39	24	36	32	23	34	6	28
29	2	7	8	2	7	26	1	20	7	4
30	31	24	21	34	34	23	14	14	28	42
31	1	2	5	5	4	6	13	1	23	19
32	19	17	29	8	18	7	8	26	21	26
33	5	12	24	20	14	1	3	13	4	7
34	25	31	25	28	31	9	18	9	42	38
35	11	22	22	23	20	4	5	6	16	5
36	22	8	27	15	27	17	10	21	11	37
37	34	14	31	30	38	37	24	24	34	40
38	10	13	6	7	8	10	7	15	14	14

Missouri Perspective

Comparison of Rankings for All Case Types - FY 2003 Average Filing per Judge

Circuit	All Cases Circuit Rank	Complex CCV Circuit Rank	Circuit Civil Circuit Rank	Dom Rel Circuit Rank	ACV-SC Circuit Rank	Circ Fel Circuit Rank	Fel Prelim Circuit Rank	Misd Circuit Rank	Probate Circuit Rank	Juvenile Circuit Rank
39	14	23	15	25	24	8	4	5	15	21
40	3	15	16	11	23	5	2	4	5	8
41	41	37	41	44	37	25	29	37	39	10
42	35	38	36	37	39	24	22	22	43	33
43	40	39	34	39	40	40	37	33	44	39
44	36	34	33	33	42	35	15	32	41	27
45	21	33	17	16	17	14	16	23	29	18

¹ Listed in circuit order.

² A low ranking indicates a high number of average filings per judge.

Missouri Perspective

Jury Trials per Circuit - FY 1998 - FY 2003

Circuit	FY 1998 Number of Trials	FY 1999 Number of Trials	FY 2000 Number of Trials	FY 2001 Number of Trials	FY 2002 Number of Trials	FY 2003 Number of Trials
22	571	525	506	430	472	491
21	393	319	317	311	205	255
16	350	269	271	210	214	208
31	78	71	75	81	72	74
11	86	83	105	70	55	64
5	55	62	69	63	77	61
7	75	60	53	44	60	50
26	40	36	42	35	33	43
24	39	39	34	28	27	36
13	87	80	59	57	52	35
20	34	20	23	20	28	32
17	15	6	12	31	32	31
23	63	40	52	46	36	30
32	58	46	55	48	28	25
12	5	9	12	10	16	20
30	15	16	15	23	23	20
10	10	18	19	17	20	19
29	22	72	N/A	13	26	19
33	16	25	15	25	22	19
39	4	7	17	10	14	17
42	16	16	39	17	25	16
6	30	23	22	23	14	14
38	15	14	11	10	19	14
15	9	11	11	13	16	13
19	39	N/A	N/A	N/A	N/A	13
43	28	14	17	13	19	13
18	27	20	14	9	16	12
45	17	20	15	9	14	12
14	9	12	11	9	8	11
27	15	16	7	9	14	11
40	13	8	8	16	10	10
25	17	23	25	21	35	9
34	12	3	10	7	3	9
36	17	18	20	17	19	9
4	14	6	13	9	13	8
3	9	6	6	4	10	7
9	9	6	8	4	2	7

Missouri Perspective

Jury Trials per Circuit - FY 1998 - FY 2003

Circuit	FY 1998 Number of Trials	FY 1999 Number of Trials	FY 2000 Number of Trials	FY 2001 Number of Trials	FY 2002 Number of Trials	FY 2003 Number of Trials
35	6	14	12	6	4	7
41	3	4	8	0	7	7
8	16	9	7	4	10	6
28	8	8	24	9	5	6
37	13	12	10	2	6	6
1	6	12	9	4	11	5
2	14	6	4	7	3	5
44	9	3	2	5	7	1
Total	2387	2087	2064	1799	1802	1,780

¹ Ranked by highest number of jury trials in FY 2003 to lowest number of jury trials in FY 2003. Trial is counted if voir dire began.

Missouri Perspective

Jury Trial Days per Circuit - FY 1998 - FY 2003

Circuit	FY 1998 Number of Days	FY 1999 Number of Days	FY 2000 Number of Days	FY 2001 Number of Days	FY 2002 Number of Days	FY 2003 Number of Days
22	1911	1527	1388	1246	1343	1,462
16	1124	847	963	681	751	770
21	996	821	805	811	491	653
31	228	174	229	220	215	177
11	161	166	196	129	119	126
7	195	151	155	113	163	124
5	100	132	139	132	124	112
26	66	72	76	65	60	74
23	62	79	98	98	61	73
17	32	15	22	54	60	65
13	141	122	81	76	95	53
20	41	35	35	37	41	45
30	30	26	21	33	59	41
24	44	40	35	22	34	40
6	64	48	54	55	27	35
29	54	82	N/A	35	55	33
39	7	15	36	16	28	33
32	73	64	66	69	35	31
38	39	27	23	12	37	28
12	7	19	22	13	23	27
19	54	N/A	N/A	N/A	N/A	27
33	22	34	20	29	26	27
15	20	25	26	23	26	26
10	12	21	27	19	27	25
25	47	69	50	40	60	24
27	25	25	13	14	28	23
43	36	28	31	22	16	23
42	19	30	49	19	26	22
45	21	35	20	15	21	22
40	39	16	13	32	9	21
18	45	34	29	17	26	20
3	9	12	7	6	22	14
28	12	17	51	30	14	13
8	33	17	16	6	20	12
34	22	5	15	7	4	12
37	26	14	15	4	10	12

Missouri Perspective

Jury Trial Days per Circuit - FY 1998 - FY 2003

Circuit	FY 1998 Number of Days	FY 1999 Number of Days	FY 2000 Number of Days	FY 2001 Number of Days	FY 2002 Number of Days	FY 2003 Number of Days
4	18	9	24	16	21	11
14	12	15	18	11	9	11
36	24	19	21	19	15	10
2	22	14	8	14	4	9
9	12	6	10	6	3	9
35	6	15	19	9	6	9
41	4	7	18	0	6	8
1	9	13	12	9	21	7
44	22	6	3	15	14	3
Total	5946	4948	4959	4299	4255	4402

¹ Ranked by highest number of jury trial days in FY 2003 to lowest number of jury trial days in FY 2003. Trial days include voir dire, testimony, deliberation, and sentencing. Any part of a day is included as a day.

Circuit Court FY 2004 General Revenue Budget

Details of FY 04 Core – Personal Service All Funds

Personal Service:

Circuit Court Judges (approp. 0853)	\$15,012,000 - 139.00 FTE *
Associate Circuit Court Judges (approp. 0856)	\$20,736,000 - 216.00 FTE **
Other Statutory Salaries (approp. 3354, 0950, 3754)	\$12,877,588 - 262.00 FTE ***
Non-Statutory Salaries (approp. 3354, 2279, 0950, 3754)	\$59,891,368 - 2,297.20 FTE ****
(Circuit Court staff comprise 1775.2 FTE and \$44.9 Million)	
Total PS:	\$108,516,956 - 2,914.20 FTE

* This includes 136 Circuit Court Judges and three probate commissioners who are paid at the circuit court judge rate.

** This includes 186 Associate Circuit Court judges and 30 commissioners who are paid at the associate circuit court judge rate.

*** This includes 136 court reporters, 10 chief juvenile officers, and 116 circuit clerks.

**** This includes 498.50 juvenile court staff and 1,798.70 circuit court and Fine Collection Center personnel.

Expense & Equipment

(approp. #5274, #6847, #2003, #6064, #3805): \$ 2,106,700

Program Distribution (approp. #6847): \$ 275,000

Total: \$110,898,656 - 2,914.20 FTE

Judges: Covered by Article XIII, Section 3. Salaries for all statutory positions and the calculation used for all fringe benefits is shown on the next page.

Details of FY Core – Expense and Equipment All Funds

Expense and equipment (E&E) funding for state expenses under the Constitution and statutes supports:

- expenses related to the state's responsibility for the operation of the circuit courts (Mo. Constitution, Article V);
- case-related judicial travel (Mo. Constitution Article V, §485.090);
- up to \$25,000 in legal expenses for the Circuit Clerk in the City of St. Louis (§483.260);
- up to \$90,000 Fine Collections Center (§476.385) operating costs;
- up to \$50,000 in auxiliary aids and services for the deaf (§476.750);
- \$175,760 (§491.300) for deaf and foreign language interpreters to insure due process for all who come before the courts;
- \$99,000 for contingent court costs (§476.265);
- \$298,658 for transcription fees (§488.2250);
- \$275,000 for juror reimbursements (§494.455); and
- \$134,500 for permanency planning federal grant match {Family Preservation Support Act (1993), Adoption and Safe Families Act (1997), §211, RSMo}.

Other E&E expenses include:

- \$1,059,924 federal and other funds to expand permanency planning for children;
- \$60,000 match for federal grants;
- expenses of the Circuit Court Budget Committee;
- removal of physical barriers to consolidation of court offices within counties and improvements to efficiency; and
- expenses required under the deductible for the state blanket bond

FY 2004 CORE BUDGET FOR CIRCUIT COURT PERSONAL SERVICES

COST PER CASE BASED ON SALARY AND BENEFITS FOR ALL COURT PERSONNEL¹

Ranked by cost per case in ascending order

RANK	CIRCUIT	FY03 FILINGS	JUDGES AND COMMISSIONERS		COURT STAFF		TOTAL - ALL CIRCUIT COURT PERSONNEL	
			PAY + BENEFITS	COST PER CASE	PAY + BENEFITS	COST PER CASE	PAY + BENEFITS	COST PER CASE
1	31	32,009	\$ 2,000,252	\$ 62.49	\$ 2,540,096	\$ 79.36	\$ 4,063,340	\$ 126.94
2	29	13,884	\$ 1,009,348	\$ 72.70	\$ 1,325,995	\$ 95.51	\$ 2,335,343	\$ 168.20
3	35	9,944	\$ 813,458	\$ 81.80	\$ 900,748	\$ 90.58	\$ 1,714,206	\$ 172.39
4	11	20,952	\$ 1,663,803	\$ 79.41	\$ 2,386,174	\$ 113.89	\$ 3,731,972	\$ 178.12
5	13	19,346	\$ 1,645,359	\$ 85.05	\$ 1,970,525	\$ 101.86	\$ 3,456,881	\$ 178.69
6	16	71,853	\$ 5,933,972	\$ 82.58	\$ 8,129,537	\$ 113.14	\$ 12,932,047	\$ 179.98
7	33	8,459	\$ 654,455	\$ 77.37	\$ 876,446	\$ 103.61	\$ 1,530,901	\$ 180.98
8	38	10,087	\$ 813,458	\$ 80.64	\$ 1,033,196	\$ 102.43	\$ 1,846,654	\$ 183.07
9	21	79,667	\$ 6,588,427	\$ 82.70	\$ 9,077,982	\$ 113.95	\$ 14,693,949	\$ 184.44
10	39	11,582	\$ 972,460	\$ 83.96	\$ 1,166,116	\$ 100.68	\$ 2,138,576	\$ 184.65
11	23	17,422	\$ 1,345,798	\$ 77.25	\$ 2,031,327	\$ 116.60	\$ 3,218,122	\$ 184.72
12	40	8,801	\$ 654,455	\$ 74.36	\$ 986,382	\$ 112.08	\$ 1,640,837	\$ 186.44
13	17	11,231	\$ 990,904	\$ 88.23	\$ 1,138,171	\$ 101.34	\$ 2,129,075	\$ 189.57
14	7	16,286	\$ 1,345,798	\$ 82.64	\$ 1,977,690	\$ 121.43	\$ 3,164,485	\$ 194.31
15	26	16,311	\$ 1,467,911	\$ 90.00	\$ 1,739,832	\$ 106.67	\$ 3,207,743	\$ 196.66
16	24	13,308	\$ 1,149,906	\$ 86.41	\$ 1,542,311	\$ 115.89	\$ 2,692,217	\$ 202.30
17	19	7,730	\$ 691,343	\$ 89.44	\$ 879,125	\$ 113.73	\$ 1,570,468	\$ 203.17
18	12	7,306	\$ 654,455	\$ 89.58	\$ 874,743	\$ 119.73	\$ 1,529,198	\$ 209.31
19	45	6,625	\$ 654,455	\$ 98.79	\$ 787,129	\$ 118.81	\$ 1,441,584	\$ 217.60
20	32	10,212	\$ 990,904	\$ 97.03	\$ 1,237,567	\$ 121.19	\$ 2,228,471	\$ 218.22
21	36	6,376	\$ 654,455	\$ 102.64	\$ 759,097	\$ 119.06	\$ 1,413,552	\$ 221.70
22	6	7,637	\$ 831,901	\$ 108.93	\$ 914,032	\$ 119.68	\$ 1,745,933	\$ 228.62
23	5	11,684	\$ 1,186,795	\$ 101.57	\$ 1,555,344	\$ 133.12	\$ 2,742,139	\$ 234.69
24	34	6,080	\$ 654,455	\$ 107.64	\$ 779,884	\$ 128.27	\$ 1,434,339	\$ 235.91
25	18	6,260	\$ 654,455	\$ 104.55	\$ 867,874	\$ 138.64	\$ 1,522,329	\$ 243.18
26	25	11,467	\$ 1,308,909	\$ 114.15	\$ 1,495,026	\$ 130.38	\$ 2,803,935	\$ 244.52
27	20	10,431	\$ 1,149,906	\$ 110.24	\$ 1,415,346	\$ 135.69	\$ 2,565,252	\$ 245.93
28	30	9,913	\$ 1,131,463	\$ 114.14	\$ 1,338,463	\$ 135.02	\$ 2,469,926	\$ 249.16
29	22	51,547	\$ 6,185,194	\$ 119.99	\$ 7,762,488	\$ 150.59	\$ 13,134,225	\$ 254.80

FY 2004 CORE BUDGET FOR CIRCUIT COURT PERSONAL SERVICES

COST PER CASE BASED ON SALARY AND BENEFITS FOR ALL COURT PERSONNEL¹

Ranked by cost per case in ascending order

RANK	CIRCUIT	FY03 FILINGS	JUDGES AND COMMISSIONERS		COURT STAFF		TOTAL - ALL CIRCUIT COURT PERSONNEL	
			PAY + BENEFITS	COST PER CASE	PAY + BENEFITS	COST PER CASE	PAY + BENEFITS	COST PER CASE
30	10	6,000	\$ 654,455	\$ 109.08	\$ 931,868	\$ 155.31	\$ 1,586,323	\$ 264.39
31	14	4,342	\$ 495,452	\$ 114.11	\$ 667,342	\$ 153.69	\$ 1,162,794	\$ 267.80
32	27	5,441	\$ 654,455	\$ 120.28	\$ 810,227	\$ 148.91	\$ 1,464,682	\$ 269.19
33	37	7,183	\$ 972,460	\$ 135.38	\$ 1,002,432	\$ 139.56	\$ 1,974,892	\$ 274.94
34	28	5,986	\$ 813,458	\$ 135.89	\$ 874,838	\$ 146.15	\$ 1,688,296	\$ 282.04
35	42	8,250	\$ 1,149,906	\$ 139.38	\$ 1,258,187	\$ 152.51	\$ 2,408,093	\$ 291.89
36	44	4,560	\$ 654,455	\$ 143.52	\$ 685,997	\$ 150.44	\$ 1,340,452	\$ 293.96
37	15	5,599	\$ 813,458	\$ 145.29	\$ 935,233	\$ 167.04	\$ 1,748,691	\$ 312.32
38	2	4,124	\$ 654,455	\$ 158.69	\$ 740,246	\$ 179.50	\$ 1,394,701	\$ 338.19
39	43	6,675	\$ 1,149,906	\$ 172.27	\$ 1,118,430	\$ 167.56	\$ 2,268,336	\$ 339.83
40	8	3,021	\$ 495,452	\$ 164.00	\$ 550,434	\$ 182.20	\$ 1,045,886	\$ 346.21
41	41	2,825	\$ 495,452	\$ 175.38	\$ 502,929	\$ 178.03	\$ 998,381	\$ 353.41
42	9	2,886	\$ 654,455	\$ 226.77	\$ 582,122	\$ 201.71	\$ 1,236,577	\$ 428.47
43	3	3,150	\$ 813,458	\$ 258.24	\$ 754,675	\$ 239.58	\$ 1,568,133	\$ 497.82
44	4	3,278	\$ 972,460	\$ 296.66	\$ 881,924	\$ 269.04	\$ 1,854,384	\$ 565.71
45	1	1,785	\$ 654,455	\$ 366.64	\$ 546,068	\$ 305.92	\$ 1,200,523	\$ 672.56
	TOTAL	589,515	\$ 57,896,646	\$ 98.21	\$ 72,331,598	\$ 122.70	\$ 128,831,279	\$ 218.54
	TOTAL FTE		348		1972			

¹Does not include 7 Drug Court Commissioners because drug court activity is not included in case filings. Drug Court Commissioners are located in the following circuits: 11, 16, 22, 23, 31, 33, and 35. Does not include Drug Court Administrators in 11th, 13th, 19th, 22nd (2), 31st, 32nd, 33rd, 35th, or 40th circuits for the same reason. Does not include court administrators in 13th, 20th or 28th circuits, nor court marshalls in 19th, 24th, and 43rd circuits.

7th Circuit: Includes 1 family court commissioner.

11th Circuit: Includes 2 family court commissioners.

13th Circuit: Includes 1 family court commissioner.

16th Circuit: Includes 1 probate commissioner @ \$108,000; and 5 family court commissioners and 1 deputy probate commissioner @\$96,000.

21st Circuit: Includes 1 probate commissioner @ \$108,000; and 4 family court commissioners and 1 deputy probate commissioner @\$96,000.

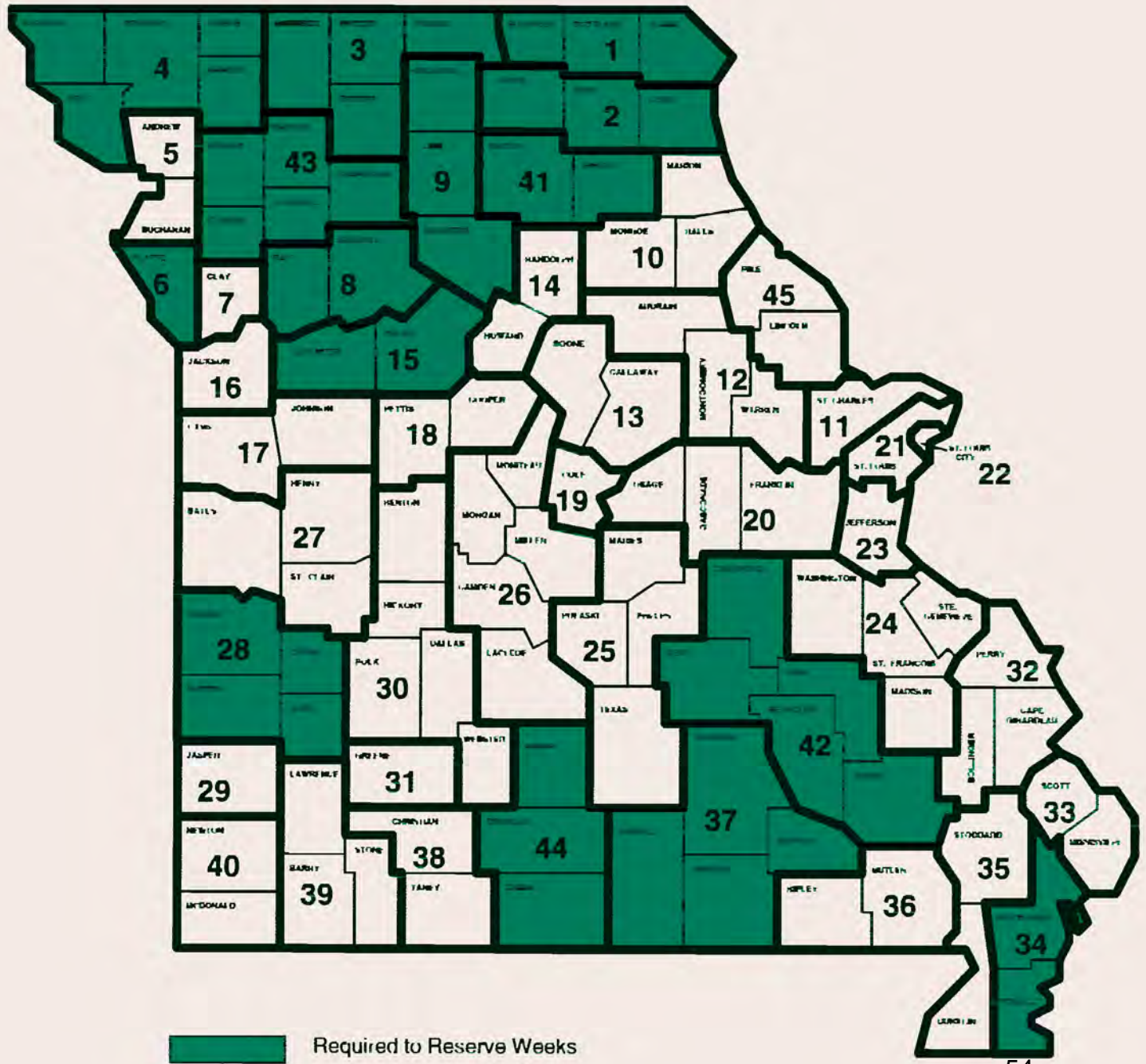
22nd Circuit: Includes 1 probate commissioner @ \$108,000; 3 family court commissioners and 1 deputy probate commissioner @\$96,000

23rd Circuit: Includes 1 family court commissioner.

31st Circuit: Includes 2 family court commissioners and 1 probate commissioner.

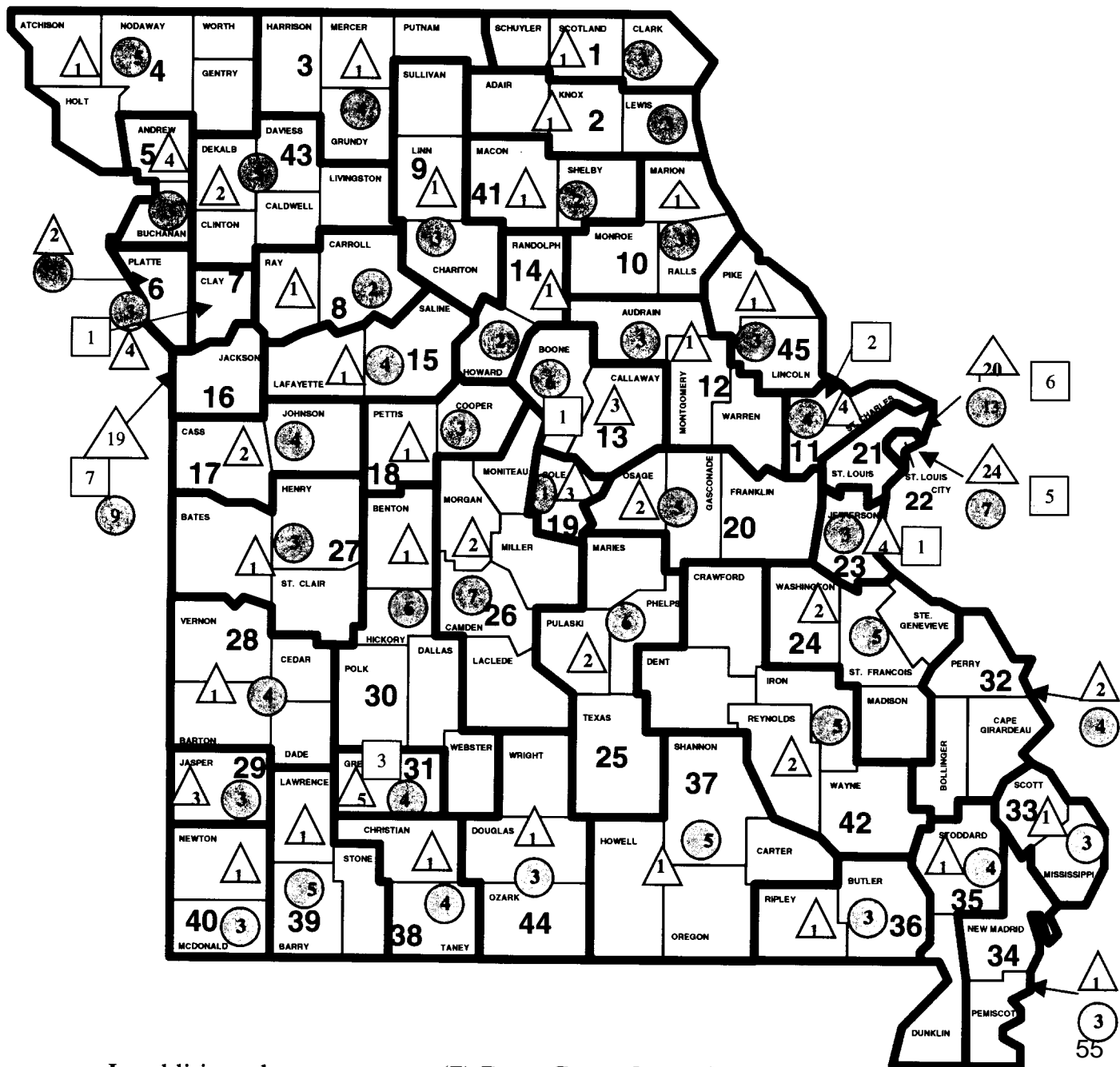
The statutory salaries are those in effect 8/15/03.

CIRCUITS TYPICALLY REQUIRED TO RESERVE WEEKS FOR TRANSFER TO BUSIER CIRCUITS



Number of Judges (includes Commissioners)

- △ = Circuit Judges (136)
- = Associate Circuit Judges (186)
- = Probate & Family Court Commissioners (26)



In addition, there are seven (7) Drug Court Commissioners
(11th, 16th, 22nd, 23rd, 31st, 33rd and 35th Circuits)

0491S.06T

SENATE SUBSTITUTE

FOR

SENATE CONCURRENT RESOLUTION NO. 7

WHEREAS, the State of Missouri is currently facing a budget crisis and has limited resources for state spending; and

WHEREAS, the General Assembly is a co-equal branch of state government and is responsible for the appropriation of state funds for various governmental entities; and

WHEREAS, the public expects and requires the General Assembly to ensure that state resources are being used as efficiently and effectively as possible; and

WHEREAS, the General Assembly is responsible for the appropriation of funds to support the operation of the forty-five judicial circuits of this state; and

WHEREAS, the General Assembly has a duty to ensure that funds appropriated to the forty-five judicial circuits are being used efficiently and effectively:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, First Regular Session, the House of Representatives concurring therein, hereby establish the Joint Interim Committee on Judicial Resources in Missouri; and

BE IT FURTHER RESOLVED that the Committee shall be composed of two majority members and one minority member of the Senate, to be appointed by the President Pro Tem of the Senate; two majority members and one minority member of the House of Representatives, to be appointed by the Speaker of the House of Representatives; and one appellate judge, one circuit judge, and one associate circuit judge, to be appointed by the chief justice of the supreme court; and

BE IT FURTHER RESOLVED that the Committee shall conduct a comprehensive analysis of the activities of the state's forty-five judicial circuits, including an examination of the caseload of each circuit judge, associate circuit judge, and any commissioner of the circuit, examine any other issues that the committee deems relevant, and make any recommendations for improving the efficiency and effectiveness of the judicial circuits; and

BE IT FURTHER RESOLVED that the Committee be authorized to hold hearings as it deems

advisable, and may solicit any input or information necessary to fulfill its obligations from the Office of State Courts Administrator, any judicial circuit within the state and the Missouri Bar; and

BE IT FURTHER RESOLVED that the staffs of House Research, Senate Research and the Committee on Legislative Research shall provide such legal, research, clerical, technical and bill drafting services as the Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Committee, its members, and any staff personnel assigned to the Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the Committee report its recommendations and findings to the Missouri General Assembly by January 1, 2004, and the authority of such Committee shall terminate on December 31, 2003; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President Pro Tem of the Senate, the Speaker of the House of Representatives, the office of the State Courts Administrator which office shall supply a copy to each judicial circuit in the state, and the Missouri Bar Association.

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